

1 MARK D. FOWLER (Bar No. 124235)
mark.fowler@dlapiper.com
2 DAVID ALBERTI (Bar. No. 220625)
david.alberti@dlapiper.com
3 YAKOV M. ZOLOTOREV (Bar No. 224260)
yakov.zolotorev@dlapiper.com
4 CARRIE L. WILLIAMSON (Bar No. 230873)
carrie.williamson@dlapiper.com
5 ELIZA BECHTOLD (Bar No. 233169)
eliza.bechtold@dlapiper.com
6

7 DLA PIPER US LLP
2000 University Avenue
East Palo Alto, CA 94303-2215
8 Tel: 650.833.2000
Fax: 650.833.2001
9

10 Attorneys for Plaintiff,
Sun Microsystems, Inc.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 SAN JOSE DIVISION
14

15 SUN MICROSYSTEMS, INC., a Delaware
corporation,

CASE NO. C-07-05488

16 **PROOF OF SERVICE**

17 Plaintiff,

18 v.

19 NETWORK APPLIANCE, INC., a
Delaware corporation,

20 Defendant.

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TC

CORPORATE LEGAL SERVICES

PO BOX 27975
LOS ANGELES CA 90027

31025.31025

31025

B1. Betty

Phone: 213 202-6030, FAX: 213 202-6045

Assigned To: DONNA L. SMITH

Received:	11/07/07	Client Matter #347155-29	Type of Service: Priority	Special: No
Client:	DLA PIPER US LLP			
Attention:	LARRY LANDRY			
Address 1:	2000 UNIVERSITY AVENUE			
City, State Zip:	PALO ALTO, CA 94303			
Plaintiff	SUN MICROSYSTEMS, INC.			
Defendant	NETWORK APPLIANCE, INC.			
Representing:	Plaintiff Case Number: C-07-05488 JW			
Court:	UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA			

Hearing Date: Status: 11/12/07 Last Day to Serve: Last Day to Sub:

Serve Docs To: NETWORK APPLIANCE, INC., a Delaware corporation(5980)

Description: Race: , Sex: , Age: , Hair: , Eyes: , Height: , Weight:

Documents: FIRST AMENDED COMPLAINT;

Loc	Date	Time	Server	Code	Comments

[P] Personal Service

[T] by Posting

[W] Warm Body CCP 1011

[Z] First Class Mail CCP 415.46

[R] Returned Not Served

[U] Posted At Residence

[X] Posted

Manner: [S] Substituted Service

[V] Posted at Business

[Y] Certified Mail CCP 415.45

Date Served: / /

Time Served:(Military) _____ Served By: _____

Served At: [H]ome, [B]usiness, or [U]sual Place of Mailing [X] For Changes Above in Address Boxs.

(3.b.) Person Served _____ Witness Fees: \$ _____

Race: , Sex: , Age: , Hair: , Eyes: , Height: , Weight: _____

Relationship _____ (3.b.) By Leaving Copies With _____

Mailed From _____ Mailed Date _____ Time _____

31025.31025

<i>Attorney or Party without Attorney:</i> DLA PIPER US LLP 2000 UNIVERSITY AVENUE PALO ALTO, CA 94303 Telephone No: 650 833-2000 FAX No: 650 833-2001		<i>For Court Use Only</i>	
<i>Attorney for Plaintiff</i>		<i>Ref. No. or File No.:</i> 80913	
<i>Insert name of Court, and Judicial District and Branch Court:</i> United States District Court, Northern District Of California			
<i>Plaintiff:</i> SUN MICROSYSTEMS, INC. <i>Defendant:</i> NETWORK APPLIANCE, INC.			
PROOF OF SERVICE FIRST AMENDED COMPLAI		<i>Hearing Date:</i>	<i>Time:</i>
			<i>Dept/Div:</i>
			<i>Case Number:</i> C-07-05488 JW

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the FIRST AMENDED COMPLAINT

3. a. *Party served:*
b. *Person served:*

NETWORK APPLIANCE, INC., a Delaware corporation
MARGARET WILSON, Agent for Service of Process

4. *Address where the party was served:*

C.T. CORPORATION SYSTEMS
818 W. 7TH STREET
2ND FLOOR
LOS ANGELES, CA 90017

5. *I served the party:*

a. *by personal service.* I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Mon., Nov. 05, 2007 (2) at: 2:50PM

7. *Person Who Served Papers:*

a. DONNA L. SMITH
b. CORPORATE LEGAL SERVICES
PO BOX 27975, Registration # 2296
LOS ANGELES, CA 90027
c. 213 202-6030, FAX 213 202-6045

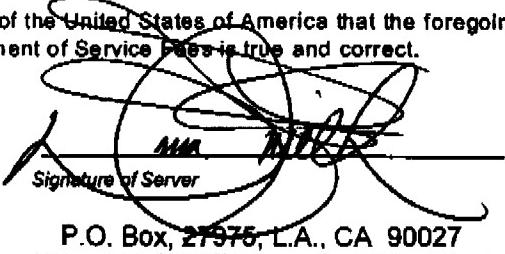
Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. *The Fee for Service was:*
e. I am: (3) registered California process server
(i) Independent Contractor
(ii) Registration No.: 4364
(iii) County: Los Angeles
(iv) Expiration Date: Sun, Jun. 08, 2008

8. *I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.*

Date: Wed, Nov. 07, 2007

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE November 5, 2007 at 2:50pm
Name of SERVER		
Donna L. Smith	TITLE Registered California Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input checked="" type="checkbox"/> Served Personally upon the Defendant. Place where served: Margaret Wilson, Agent for Service of Process 818 W. 7th Street, 2nd Floor Los Angeles, CA 90017		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	<u>11/8/2007</u> <small>Date</small>	
 <small>Signature of Server</small>		
<u>P.O. Box, 27975, L.A., CA 90027</u> <small>Address of Server</small>		
<small>(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure</small>		